

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA : INFORMATION

- v. - : S5 11 Cr. 59 (LAK)

OMAR DELVILLAR, :

Defendant. :

- - - - - x

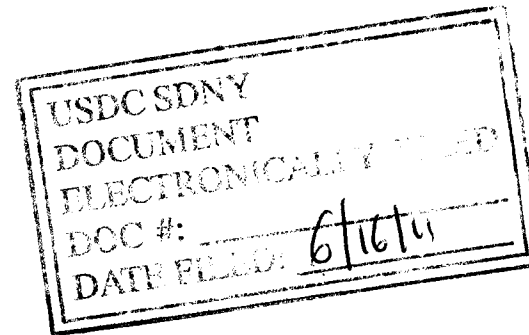
COUNT ONE

The United States Attorney charges:

1. From at least in or about 2005, up to and including in or about December 2008, in the Southern District of New York and elsewhere, OMAR DELVILLAR, the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that OMAR DELVILLAR, the defendant, and others known and unknown, would and did distribute and possess with the intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substances involved in the offense were: (1) fifty grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(A); (2) mixtures and substances containing a detectable amount of



marijuana, in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(D); and (3) mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C).

(Title 21, United States Code, Section 846.)

COUNT TWO

The United States Attorney further charges:

4. From at least in or about December 2008, up to and including in or about January 2011, in the Southern District of New York and elsewhere, OMAR DELVILLAR, the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

5. It was a part and an object of the conspiracy that OMAR DELVILLAR, the defendant, and others known and unknown, would and did distribute and possess with the intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

6. The controlled substances involved in the offense were: (1) 280 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(A); (2) mixtures and substances containing a detectable amount of marijuana, in violation of Title 21, United States Code, Sections

812, 841(a)(1), and 841(b)(1)(D); and (3) mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C).

(Title 21, United States Code, Section 846.)

COUNT THREE

The United States Attorney further charges:

7. From at least in or about 2005, up to and including in or about December 2008, in the Southern District of New York and elsewhere, OMAR DELVILLAR, the defendant, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics offense charged in Count One of this Information, knowingly did use and carry firearms, and, in furtherance of such crime, did possess firearms, and did aid and abet the use, carrying, and possession of firearms, which were possessed during the course of and in furtherance of the conspiracy to distribute "crack" cocaine, marijuana, and powder cocaine charged in Count One of this Information.

(Title 18, United States Code, Sections 924(c)(1)(A)(i) and 2.)

COUNT FOUR

The United States Attorney further charges:

8. From at least in or about December 2008, up to and including in or about January 2011, in the Southern District of New York and elsewhere, OMAR DELVILLAR, the defendant, during and in relation to a drug trafficking crime for which he may be

prosecuted in a court of the United States, namely, the narcotics offense charged in Count Two of this Information, knowingly did use and carry firearms, and, in furtherance of such crime, did possess firearms, and did aid and abet the use, carrying, and possession of firearms, which were discharged during the course of and in furtherance of the conspiracy to distribute "crack" cocaine, marijuana, and powder cocaine charged in Count Two of this Information.

(Title 18, United States Code, Sections 924(c)(1)(A)(iii),
924(c)(1)(C)(i), and 2.)

FORFEITURE ALLEGATIONS

9. As a result of committing the controlled substance offenses alleged in Counts One and Two of this Information, OMAR DELVILLAR, the defendant, shall forfeit to the United States pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the narcotics violations alleged in Counts One and Two of this Information, including but not limited to a sum of money representing the amount of proceeds obtained as a result of the controlled substance offense for which the defendant is liable.

10. If any of the forfeitable property described above in Paragraph 9, as a result of any act or omission of OMAR DELVILLAR, the defendant,

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;


c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty,

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1) and 853.)


PREET BHARARA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

OMAR DELVILLAR,

Defendant.

INFORMATION

S5 11 Cr. 59 (LAK)
(21 U.S.C. § 846 and 18 U.S.C. §§ 924(c) and 2)

PREET BHARARA
United States Attorney

6/16/2011 - FILED WAIVER OF INDICTMENT &
INFORMATION

- DEF. DET. PRESENT W/ATTY RONNIE ABRAMS,
ALSO FARUK MOYNE PRESENT. DEF
WITHDRAWS PREVIOUSLY ENTERED "NOT GUILTY"
PLEA, & ENTERS A PLEA OF "GUILTY" TO
THE S5-11 CR. 00059, INFORMATION, FILED
JUNE 16, 2011. ELECTRONIC PSI ORDERED.
CONTROL SENTENCING DATE SET AS
OCT. 21, 2011 @ 10:30AM, BEFORE JUDGE
KAPLAN. DEF DETAINED.
KATZUSITS.